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 9 Attorneys for Defendants
 10 EXEL GLOBAL LOGISTICS INC. and
 11 EXEL TRANSPORTATION SERVICES INC.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION

11 PEMSTAR, INC. AND FALVEY CARGO)
 12 UNDERWRITING, LTD.,)
 13 Plaintiffs,)
 14 vs.)

Case No.: C 05-01657 MEJ

**STIPULATION OF DISMISSAL WITH
 PREJUDICE (UNCONDITIONAL) AND
~~PROPOSED~~ ORDER**

15 EXEL GLOBAL LOGISTICS, INC., a)
 16 corporation, EXEL TRANSPORTATION)
 17 SERVICES, INC., a corporation,)
 18 EXEL GLOBAL LOGISTICS, INC., a)
 19 corporation, d.b.a. EXEL CARGO)
 20 INTERNATIONAL de MEXICO S.A. de)
 21 C.V., EXEL TRANSPORTATION)
 22 SERVICES INC., a corporation,)
 23 d.b.a. EXEL CARGO INTERNATIONAL)
 24 de MEXICO S.A. de C.V., and DOE)
 25 1 through DOE 5,)
 26 Defendants.)

22 EXEL GLOBAL LOGISTICS INC.,)
 23 Third Party Plaintiff,)

24 vs.)
 25 LINEAS DE MEXICO S.A. DE C.V.)
 26 and DOES ONE through TEN,)
 27 Third Party)
 28 Defendants.)

EXEL TRANSPORTATION SERVICES INC.'S THIRD-PARTY COMPLAINT AGAINST LINEAS DE MEXICO S.A. DE C.V. and DOES ONE through TEN -- Case No. C 05-01657 MEJ

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(415) 693-5566

EXEL TRANSPORTATION SERVICES)
INC.,)
Third Party Plaintiff,)
vs.)
LINEAS DE MEXICO S.A. DE C.V.)
and DOES ONE through TEN,)
Third Party)
Defendants.)

Pursuant to settlement, the parties to this action hereby agree and stipulate to unconditional dismissal of this action with prejudice, each party to bear its own fees and costs.

DATED: August __, 2005

GIBSON, ROBB & LINDH LLP

By: /s/ Stanley Gibson
Attorneys for Plaintiffs
PEMSTAR, INC. and FALVEY CARGO
UNDERWRITING, LTD.

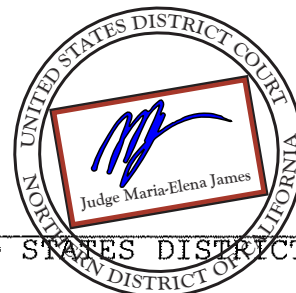
DATED: August __, 2005

FLYNN, DELICH & WISE LLP

By: /s/ Conte C. Cicala
Attorneys for Defendants and
Third Party Plaintiffs EXEL
TRANSPORTATION SERVICES INC.
and EXEL GLOBAL LOGISTICS,
INC.

IT IS SO ORDERED. The Clerk of Court shall close the file.

Dated: September 29, 2005



UNITED STATES DISTRICT JUDGE

EXEL TRANSPORTATION SERVICES INC.'S THIRD-PARTY COMPLAINT AGAINST LINEAS DE MEXICO S.A. DE C.V. and DOES ONE through TEN -- Case No. C 05-01657 MEJ